Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

#### Filing at a Glance

Company: General Fidelity Insurance Company

Product Name: Contractual Liability SERFF Tr Num: GNFD-125334284 State: Arkansas

Reimbursement Insurance of GAP Waiver

Contracts

TOI: 17.0 Other Liability - Claims SERFF Status: Closed State Tr Num: #1267112 \$50

Made/Occurrence

Sub-TOI: 17.0004 Contractual Liability Co Tr Num: GAPCLP-FMC-07-F State Status: Fees verified and

received

Filing Type: Form Co Status: Submitted Reviewer(s): Betty Montesi, Edith

Roberts, Brittany Yielding

Author: Peter Klope Disposition Date: 11/19/2007

Date Submitted: 11/06/2007 Disposition Status: Approved

Effective Date Requested (New): 12/07/2007 Effective Date (New):

Effective Date Requested (Renewal): 12/07/2007 Effective Date (Renewal):

**General Information** 

Project Name: FMC Endorsement form filing Status of Filing in Domicile: Pending

Project Number: GAPCLP-FMC-07-F Domicile Status Comments: This endorsement

has been filed with the South Carolina

department of insurance in tandem to this filing.

Reference Organization: Reference Number:

Reference Title: Advisory Org. Circular:

Filing Status Changed: 11/19/2007

State Status Changed: 11/19/2007 Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

The purpose of the enclosed filing is to add an endorsement to our contractual liability reimbursement insurance program for GAP waiver providers. The enclosed endorsement modifies the policy form to meet the requirements of Ford Motor Credit to accept assignment of loans/leases from the lender. Please note that Section III of the policy is the "Exclusions" section, and this endorsement deletes one exclusion and modifies another. There is also a slight modification to the proof of notice language.

SERFF Tracking Number: GNFD-125334284 State: Arkansas
Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

I would also like to replace the previously filed version of the Declarations page, GFIC-GAPCLP-DEC-CW1. The only change made to the new version enclosed (10/07) is that additional state specific disclosures have been added to page two.

The related forms may be referenced in filing #GAPCLP-11-06-F.

Please feel free to contact me should you have any questions or if you require any additional information.

Peter Klope

704.387.8098

peter.klope@bankofamerica.com

#### **Company and Contact**

#### **Filing Contact Information**

Peter Klope, Business Compliance Manager peter.klope@bankofamerica.com

201 N. Tryon Street (704) 387-8098 [Phone] Charlotte, NC 28255 (704) 388-0797[FAX]

**Filing Company Information** 

General Fidelity Insurance Company CoCode: 30007 State of Domicile: South Carolina

201 N. Tryon Street Group Code: 1281 Company Type:

NC1-022-19-02

Charlotte, NC 28255 Group Name: State ID Number:

(704) 387-8098 ext. [Phone] FEIN Number: 33-0242848

-----

#### **Filing Fees**

Fee Required? Yes
Fee Amount: \$50.00
Retaliatory? No

Fee Explanation: Forms filing = \$50

Per Company: No

Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

CHECK NUMBER CHECK AMOUNT CHECK DATE 1267112 \$50.00 11/02/2007

Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

#### **Correspondence Summary**

#### **Dispositions**

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	11/19/2007	11/19/2007

Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

#### **Disposition**

Disposition Date: 11/19/2007

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

Item Type Item Name Item Status Public Access

Supporting Document Uniform Transmittal Document-Property & Approved Yes

Casualty

Form Ford Motor Credit Program Endorsement Approved Yes

Form Declarations Page Approved Yes

SERFF Tracking Number: GNFD-125334284 State: Arkansas
Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

#### Form Schedule

Review	Form Name	Form #	Edition	Form Type Action	<b>Action Specific</b>	Readability	Attachment
Status			Date		Data		
Approved	Ford Motor Cred	it GAP-	07/07	Endorseme New		0.00	GAP-EXC-
	Program	EXC-FMC		nt/Amendm			FMC
	Endorsement			ent/Conditi			072307.pdf
				ons			
Approved	Declarations	GFIC-	02/07	Declaration Replaced	Replaced Form #	±:0.00	GFIC-
	Page	GAPCLP-	-	s/Schedule	GFIC-GAPCLP-		GAPCLP-
		DEC-CW	1		DEC-CW1		DEC-CW1
					Previous Filing #		0207.pdf
					GAPCLP-11-06-F	=	

#### THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

#### FORD MOTOR CREDIT PROGRAM

This endorsement modifies insurance provided under the following:

Contractual Liability Reimbursement Insurance Policy

- **A.** Item 3 of Section III of the policy is deleted in its entirety.
- **B.** Item 4 of Section III of the policy is deleted in its entirety and replaced with the following:
  - 4. Any Loss caused by seizure or destruction under quarantine or customs regulations, confiscation by order of any government or public authority, or risks of contraband or illegal transportation or trade;
- **C.** Item 4 of Section IV of the policy is deleted in its entirety and replaced with the following:
  - 4. **NOTICE OF LOSS:** Notice of Loss under this Policy must be provided to the Company within ninety (90) days of the date of settlement from the primary physical damage insurance carrier, or should there be no such insurance, within ninety (90) days of the date of Loss. Failure to provide such notice within this stated time period shall invalidate any claim made under this policy for such Loss.

## General Fidelity Insurance Company 201 N. Tryon Street; NC1-022-19-02

201 N. Tryon Street; NC1-022-19-02 Charlotte NC 28255 1-866-763-7790

# CONTRACTUAL LIABILITY REIMBURSEMENT INSURANCE POLICY Declarations Page

GFIC Policy Numb Producer:	er: WGAP-	Administrator:			
A d dua a a .		A d d w a a a .	Address:		
Phone:		Phone:			
Item 1. Name of	nsured:				
Address of I	nsured:				
Item 2. Policy Pe	riod: Effective Date:	. Anniversary Date	e: <u>.</u>		
Evniration Data: II	Mo) <u>ntil cancellation or non-renewal</u>	nth/Day/Year)	(Month/Day/Year)		
This Policy will autor Policy anniversary da	natically renew at 12:01 a.m. Stan	dard Time at the address of the Insusceptions Policy Periods of one year, u			
	rage per occurrence is subject to tld. In no circumstance however sh	he provisions of this Policy and the Apall the Company's responsibility to pa			
	that of the liability of the Approve	ed GAP Contracts. Therefore, the Inseed GAP Contract prior to making clain			
		oth (15 <sup>th</sup> ) of each month, premium fo ving:	r each Approved GAP Contract		
\$	per Approved GAP Contract v	with loan term of	months.		
\$	_ per Approved GAP Contract v	with loan term of	months.		
\$	per Approved GAP Contract v	with loan term of	months.		
LIABILITY, NOR D	OES IT PROVIDE PERSONAL I	ON AGAINST BODILY INJURY NJURY PROTECTION BENEFITS, INSIBILITY OR NO-FAULT LAW.			
Date Prepared	Countersignat	ure of Authorized GFIC Representativ			
- ato i i opui ou	Journal Signat	and an individual of the respectituding	•		

## REQUIRED FRAUD WARNINGS AND/OR NOTICES FOR APPLICATIONS AND/OR DECLARATIONS, BY STATE:

**Arkansas:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

Colorado: It is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**District of Columbia:** WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

**Florida:** Any person who knowingly and with intent to injure, defraud or deceive any insurer files a statement of claim or an application containing any false, incomplete or misleading information is guilty of a felony of the third degree.

**Hawaii:** For your protection, Hawaii law requires you to be informed that presenting a fraudulent claim for payment of a loss or benefit is a crime punishable by fines or imprisonment, or both.

**Kentucky:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance containing any materially false information or conceals, for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime.

**Louisiana**: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

Maine: It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.

**New Jersey:** Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

New Mexico: ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO CIVIL FINES AND CRIMINAL PENALTIES.

**Ohio:** Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

**Oklahoma:** WARNING: Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

Oregon: Any person who knowingly and with intent to defraud or solicit another to defraud an insurer: (1) by submitting an application, or (2) by filing a claim containing a false statement as to any material fact, may be violating state law and may be found guilty of insurance fraud by a court of law.

**Pennsylvania**: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

**Tennessee:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.

**Washington:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.

Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

#### **Rate Information**

Rate data does NOT apply to filing.

Filing Company: General Fidelity Insurance Company State Tracking Number: #1267112 \$50

Company Tracking Number: GAPCLP-FMC-07-F

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability

Product Name: Contractual Liability Reimbursement Insurance of GAP Waiver Contracts

Project Name/Number: FMC Endorsement form filing/GAPCLP-FMC-07-F

## **Supporting Document Schedules**

**Review Status:** 

Satisfied -Name: Uniform Transmittal Document- Approved 11/19/2007

Property & Casualty

**Comments:** 

Attachment:

GAP-FMC-PCTD-FORMS.pdf

### **Property & Casualty Transmittal Document (Revised 1/1/06)**

1.	Reserved for Insurance		
	Dept. Use Only		

2. Insurance Department Use only		
a. Date the filing is received:		
b. Analyst:		
c. Disposition:		
d. Date of disposition of the filing:		
e. Effective date of filing:		
New Business		
Renewal Business		
f. State Filing #:		
g. SERFF Filing #: GNFD-125334284		
h. Subject Codes		

3.	3. Group Name				
4.	Company Name(s)	Domicile	NAIC #	FEIN#	
	General Fidelity Insurance Company	SC	30007	33-0242848	

5.	Company	/ Tracking	Number
J.	Company	riacking	HUIIIDEI

GAPCLP-FMC-07-F

Contact Info of Filer(s) or Corporate Officer(s) [include toll-free number]

6.	Name and address	Title	Telephone #s	FAX#	e-mail
	Peter Klope	Business	704.387.8098	704.388.0797	Peter.klope@bankofa
	NC1-022-19-02	Compliance			merica.com
	201 N. Tryon St.	Manager	866.763.7790		
	Charlotte, NC 28255	_			
7.	7. Signature of authorized filer		Piler Maple		
8.	Please print name of authorized filer		Peter Klope		

Filing information (see General Instructions for descriptions of these fields)

9.	Type of Insurance (TOI)	17.0		
10.	Sub-Type of Insurance (Sub-TOI)	17.0004		
11.	State Specific Product code(s)(if applicable)[See State Specific Requirements]			
12.	Company Program Title (Marketing title)	GAP Waiver Contractual Liability Program		
13.	Filing Type	[ ] Rate/Loss Cost [ ] Rules [ ] Rates/Rules [X] Forms [ ] Combination Rates/Rules/Forms [ ] Withdrawal[ ] Other (give description)		
14.	Effective Date(s) Requested	New: 12/6/07 or earlier if so approved Renewal:		
15.	Reference Filing?	[ ] Yes [X] No		
16.	Reference Organization (if applicable)			
17.	Reference Organization # & Title			
18.	Company's Date of Filing	11/6/07		
19.	Status of filing in domicile	[ ] Not Filed [X] Pending [ ] Authorized [ ] Disapproved		

#### **Property & Casualty Transmittal Document—**

20. This filing transmittal is part of Company Tracking # GAPCLP-FMC-07-F

21. | Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]

The purpose of the enclosed filing is to add an endorsement to our contractual liability reimbursement insurance program for GAP waiver providers. The enclosed endorsement modifies the policy form to meet the requirements of Ford Motor Credit to accept assignment of loans/leases from the lender. Please note that Section III of the policy is the "Exclusions" section, and this endorsement deletes one exclusion and modifies another. There is also a slight modification to the proof of notice language.

I would also like to replace the previously filed version of the Declarations page, GFIC-GAPCLP-DEC-CW1. The only change made to the new version enclosed (02/07) is that additional state specific disclosures have been added to page two.

The related forms may be referenced in filing #GAPCLP-11-06-F.

Please feel free to contact me should you have any questions or if you require any additional information.

Peter Klope 704.387.8098 peter.klope@bankofamerica.com

22. Filing Fees (Filer must provide check # and fee amount if applicable)
[If a state requires you to show how you calculated your filing fees, place that calculation below]

Check #: 1267112 Amount: \$50

SERFF # GNFD-125334284

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

\*\*\*Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)
PC TD-1 pg 2 of 2

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### FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms) (Do <u>not</u> refer to the body of the filing for the forms listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #	GAPCLP-FMC-07-F
2.	This filing corresponds to rate/rule filing number (Company tracking number of rate/rule filing, if applicable)	

3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement Or withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
01	Declarations Page	GFIC-GAPCLP- DEC-CW1 (02/07)	[ ] New [X] Replacement [ ] Withdrawn	GFIC- GAPCLP- DEC-CW1	AR-PC-06- 022445
02	Ford Motor Credit Program Endorsement	GAP-EXC-FMC (07/07)	[X] New [ ] Replacement [ ] Withdrawn		
03			[ ] New [ ] Replacement [ ] Withdrawn		
04			[ ] New [ ] Replacement [ ] Withdrawn		
05			[ ] New [ ] Replacement [ ] Withdrawn		
06			[ ] New [ ] Replacement [ ] Withdrawn		
07			[ ] New [ ] Replacement [ ] Withdrawn		
08			[ ] New [ ] Replacement [ ] Withdrawn		
09			[ ] New [ ] Replacement [ ] Withdrawn		
10			[ ] New [ ] Replacement [ ] Withdrawn		

PC FFS-1